

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT

TERRY ROUSHEY  
*Plaintiff*

VS.

WILLIAMS-SONOMA STORES,  
INC. D/B/A POTTERY BARN  
*Defendant*

§  
§  
§  
§  
§  
§  
§

CIVIL NO.: 3:20-cv-3509

**DEFENDANT'S NOTICE OF REMOVAL**

COMES NOW, WILLIAMS-SONOMA STORES, INC. D/B/A POTTERY BARN, Defendant and files this Notice of Removal pursuant to 28 USC §1446(a), and hereby removes this case from the 193<sup>rd</sup> Judicial District Court in Dallas County, Texas to the United States District for the Northern District of Texas.

I.

**INTRODUCTION**

WILLIAMS-SONOMA STORES, INC. D/B/A POTTERY BARN, Defendant in a civil action commenced on October 23, 2020, in the 193<sup>rd</sup> District Court in Dallas County, Texas. The style of the case is Terry Roushey vs. Willilams-Sonoma Stores, Inc. d/b/a Pottery Barn, Cause No. DC-20-16034. This case will be referred to as the State Court Action.

Pursuant to the local rules of the Northern District of Texas copies of all pleadings and orders served in the State Court are attached along with the index of the State Court documents. The address for the Judicial

District Court is Dallas County Judicial District Court is 600 Commerce St., Suite 103, Dallas, Texas 75202.

Plaintiff in the State Court Action is Terry Roushey and her attorney is Eugene Cagle of the Dashner Law Firm, PLLC, 4500 Fuller Dr., Suite 209, Irving, Texas 75038. Tel. 972/793-8989. His State Bar Number is 24067894 and his Email: [etagle@dashnerlaw.com](mailto:etagle@dashnerlaw.com).

WILLIAMS-SONOMA STORES, INC. D/B/A POTTERY BARN, Defendant is represented by Michael J. Griffin, III, Griffin & Griffin, 3003 South Loop West, Suite 206, Houston, Texas 77054, Tel. 713/228-6568, Email: [Michael@griffinandgriffin.us](mailto:Michael@griffinandgriffin.us), SBN: 08463020.

There are no other parties to the civil action.

## II.

### **BASIS FOR REMOVAL**

Defendants have filed an Answer in the State Court Action.

The lawsuit was filed in Dallas County, Texas on October 23, 2020 and the Defendant were served on November 5, 2020. This Notice of Removal is filed within thirty (30) days of receipt of the citation and petition and as such is timely filed pursuant to 28 U.S.C. §Section 1446(b).

#### **A. Diversity of Citizenship**

1. The District Courts of the United States have original jurisdiction of this action based on Diversity of Citizenship. Every Defendant is now and was at the time the action was filed, diverse in citizenship from the Plaintiff.

Plaintiff is or was at the time the suit was filed a citizen of Texas.

Williams-Sonoma Stores, Inc. d/b/a Pottery Barn is a California Corporation. As such, Defendant is and was at the time the lawsuit was commenced, a citizen of a state other than Texas.

**B. Amount in Controversy in this action**

Exclusive of interests and costs the amount in controversy exceeds the sum of \$75,000.00. In her Petition Plaintiff is asking for Judgment in an amount of over \$200,000.00 and less than \$1,000,000.00.

Removal of the State Court Action is proper pursuant to 28 U.S.C. §1441 since it is a Civil Action brought in the State Court and the Federal District Court has original jurisdiction over the subject matter under 28 U.S.C. §1332(a) as Plaintiff and Defendants are diverse in citizenship.

WHEREFORE PREMISES CONSIDERED Defendant respectfully prays that the Court, pursuant to the statutes and in conformity with the requirements set forth in 28 U.S.C. §1446, remove this action from the 193<sup>rd</sup> District Court in Dallas County, Texas to this Honorable Court in the Northern District of Texas.

Respectfully submitted,

Date: 11/30/2020

*Michael J. Griffin*

---

MICHAEL J. GRIFFIN III  
SBN: 08463020  
FEDERAL I.D. NO. 9661

**GRIFFIN & GRIFFIN**

3003 South Loop West, Suite 206

Houston, Texas 77054-1372

(713) 228-6568 Tel.

(713) 228-9900 Fax.

Michael@griffinandgriffin.us

**ATTORNEYS FOR DEFENDANT  
WILLIAMS-SONOMA STORES,  
INC. D/B/A POTTERY BARN**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document has been forwarded to the following counsel of record by certified mail, return receipt requested, e-service, e-mail, facsimile transmission, and/or hand delivered by messenger, on this the 30<sup>th</sup> day of November 2020, in compliance with Tex.R.Civ.P. 21:

Geoffrey B. Dashner

geoffrey@dashnerlaw.com

Eugene L. Tagle

etagle@dashnerlaw.com

THE DASHNER LAW FIRM, P.L.L.C.

4500 Fuller Drive, Suite 209

Irving, Texas 75038

Tel. 972/793-8989

Fax. 972/259-2600

*Michael J. Griffin*

---

MICHAEL J. GRIFFIN III

MARILYN O. GRIFFIN

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT

|                         |   |            |
|-------------------------|---|------------|
| TERRY ROUSHEY           | § |            |
| <i>Plaintiff</i>        | § |            |
|                         | § |            |
| VS.                     | § | CIVIL NO.: |
|                         | § |            |
| WILLIAMS-SONOMA STORES, | § |            |
| INC. D/B/A POTTERY BARN | § |            |
| <i>Defendant</i>        | § |            |

**CERTIFICATE OF INTERESTED PERSONS**

Pursuant to Fed. R. Civ. P.7.1 and LR 3.1©, LR 3.2€, LR 7.4, LR 81.1(a)(4)(D), and LR 81.2, WILLIAMS-SONOMA STORES, INC. D/B/A POTTERY BARN, Defendant provides the following information:

For a nongovernmental corporate party, the name(s) of its parent corporation and any publicly held corporation that owns 10% or more of its stock: WILLIAMS-SONOMA STORES, INC. D/B/A POTTERY BARN

A complete list of all persons, associations of persons, firms, partnerships, corporations, guarantors, insurers, affiliates, parent or subsidiary corporations, or other legal entities that are financially interested in the outcome of the case:

WILLIAMS-SONOMA STORES, INC. D/B/A POTTERY BARN, Defendant, Michael J. Griffin, III – Defendant's Attorney;

TERRY ROUSHEY – Plaintiff, Dashner Law Firm, P.L.L.C. - Plaintiffs' Attorney.

Respectfully submitted,

Date: 11/30/2020

*Michael J. Griffin*

---

MICHAEL J. GRIFFIN III  
SBN: 08463020  
FEDERAL I.D. NO. 9661  
**GRIFFIN & GRIFFIN**  
3003 South Loop West, Suite 206  
Houston, Texas 77054-1372  
(713) 228-6568 Tel.  
(713) 228-9900 Fax.  
Michael@griffinandgriffin.us

**ATTORNEYS FOR DEFENDANT  
WILLIAMS-SONOMA STORES,  
INC. D/B/A POTTERY BARN**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document has been forwarded to the following counsel of record by certified mail, return receipt requested, e-service, e-mail, facsimile transmission, and/or hand delivered by messenger, on this the 30<sup>th</sup> day of November 2020, in compliance with Tex.R.Civ.P. 21:

Geoffrey B. Dashner  
geoffrey@dashnerlaw.com  
Eugene L. Tagle  
etagle@dashnerlaw.com  
THE DASHNER LAW FIRM, P.L.L.C.  
4500 Fuller Drive, Suite 209  
Irving, Texas 75038  
Tel. 972/793-8989  
Fax. 972/259-2600

Date: 11/30/2020

*Michael J. Griffin*

---

MICHAEL J. GRIFFIN III

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT

TERRY ROUSHEY  
*Plaintiff*

VS.

WILLIAMS-SONOMA STORES,  
INC. D/B/A POTTERY BARN  
*Defendant*

§  
§  
§  
§  
§  
§  
§

CIVIL NO.:

**LIST OF COUNSEL OF RECORD**

Plaintiff in the State Court Action is Terry Roushey and his attorney is, Eugene Tagle of the Dashner Law Firm, P.L.L.C., 4500 Fuller Drive, Suite 209, Irving, Texas 75038. Tel. 972/793-8989. His State Bar Number is 24067894 and his Email: [etagle@dashnerlaw.com](mailto:etagle@dashnerlaw.com).

WILLIAMS-SONOMA STORES, INC. D/B/A POTTERY BARN is represented by Michael J. Griffin, III, SBN: 08463020, GRIFFIN & GRIFFIN, 3003 South Loop West, Suite 206, Houston, Texas 77054, Tel. 713/228-6568, Fax. 713/228-9900, [Michael@griffinandgriffin.us](mailto:Michael@griffinandgriffin.us).

Respectfully submitted,

Date: 11/30/2020

*Michael J. Griffin*

---

MICHAEL J. GRIFFIN III  
SBN: 08463020  
FEDERAL I.D. NO. 9661  
**GRIFFIN & GRIFFIN**  
3003 South Loop West, Suite 206  
Houston, Texas 77054-1372

(713) 228-6568 Tel.  
(713) 228-9900 Fax.  
Michael@griffinandgriffin.us

**ATTORNEYS FOR DEFENDANT  
WILLIAMS-SONOMA STORES,  
INC. D/B/A POTTERY BARN**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document has been forwarded to the following counsel of record by certified mail, return receipt requested, e-service, e-mail, facsimile transmission, and/or hand delivered by messenger, on this the 30<sup>th</sup> day of November 2020, in compliance with Tex.R.Civ.P. 21:

Geoffrey B. Dashner  
geoffrey@dashnerlaw.com  
Eugene L. Tagle  
etagle@dashnerlaw.com  
THE DASHNER LAW FIRM, P.L.L.C.  
4500 Fuller Drive, Suite 209  
Irving, Texas 75038  
Tel. 972/793-8989  
Fax. 972/259-2600

Date: 11/30/2020

*Michael J. Griffin III*

---

MICHAEL J. GRIFFIN III  
MARILYN O. GRIFFIN



UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT

TERRY ROUSHEY  
*Plaintiff*

VS.

WILLIAMS-SONOMA STORES,  
INC. D/B/A POTTERY BARN  
*Defendant*

§  
§  
§  
§  
§  
§  
§

CIVIL NO.:

**INDEX OF DOCUMENTS TO BE FILED WITH NOTICE OF REMOVAL**

1. Plaintiff's Original Petition filed on October 23, 2020 in Cause No. DC-20-16034;
2. Proof of Service on Williams-Sonoma, Inc. d/b/a Pottery Barn on November 5, 2020;
3. Defendant's Original Answer filed on November 13, 2020;
4. Defendant's Notice of Removal.

1 CIT/ ESERVE

DC-20-16034

CAUSE NO. \_\_\_\_\_

|  |  |  |
|--|--|--|
| <p><b>TERRY ROUSHEY</b></p> <p style="text-align: center;"><b>Plaintiff</b></p> <p><b>v.</b></p> <p><b>WILLIAMS-SONOMA STORES, INC.</b><br/><b>D/B/A POTTERY BARN</b></p> <p style="text-align: center;"><b>Defendant.</b></p> | <p>§</p> <p>§</p> <p>§</p> <p>§</p> <p>§</p> <p>§</p> <p>§</p> <p>§</p> <p>§</p> | <p><b>IN THE DISTRICT COURT</b></p> <p><b>_____ JUDICIAL DISTRICT</b></p> <p><b>DALLAS COUNTY, TEXAS</b></p> |
|--|--|--|

---

**PLAINTIFF'S ORIGINAL PETITION WITH DISCOVERY REQUESTS ATTACHED**

---

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, TERRY ROUSHEY (hereinafter "Plaintiff"), complaining of and about WILLIAMS-SONOMA STORES, INC. D/B/A POTTERY BARN (hereinafter "Defendant") and for the cause of action would show unto the Court the following:

**I. PARTIES**

1.1 Plaintiff TERRY ROUSHEY is an individual who resides in Dallas, Texas.

1.2. Defendant WILLIAMS-SONOMA STORES, INC. D/B/A POTTERY BARN, is a corporation registered to do business within the State of Texas. Defendant may be served through its registered agent **THE PRENTICE-HALL CORPORATION SYSTEM AT 211 E. 7<sup>TH</sup> STREET, SUITE 620, AUSTIN, TX 78701.** Said Defendant may be served with process at this location. Service is hereby requested.

**II. DISCOVERY CONTROL PLAN**

2.1. Pursuant to TEX. R. CIV. P. 190.1, Plaintiffs request that discovery be conducted under Level 2, TEX. R. CIV. P. 190.3.

2.2. Plaintiff seeks monetary relief over \$200,000.00 but no more than \$1,000,000.00 pursuant to Rule 47 of the *Texas Rules of Civil Procedure*.

### III. JURISDICTION AND VENUE

3.1. The Court has jurisdiction over Defendant, because Defendant is a registered corporation doing business within the State of Texas. The Court has jurisdiction over the subject matter because the damages are within the statutory jurisdictional limits of this Court.

3.2 Venue is proper in Dallas County, Texas, because all of the acts or omissions which form the basis for this cause of action occurred in Dallas County. As such, Dallas County, Texas is a county of proper venue.

### IV. FACTUAL BACKGROUND

4.1. This case arises out of a trip and fall that took place on November 18, 2020 at the 3212 Knox St, Dallas, TX 75205 location of Pottery Barn. On that date, TERRY ROUSHEY went to the Pottery Barn for the purpose of shopping. At all relevant times, TERRY ROUSHEY was a business invitee of Pottery Barn. Upon entering the building TERRY ROUSHEY was walking toward an area where a table was, when suddenly and without warning Plaintiff tripped and fell over a metal sign on the floor. As a result of this incident, Plaintiff sustained severe injuries and damages.

### V. PREMISES LIABILITY and NEGLIGENCE OF DEFENDANT

5.1. Plaintiff incorporates herein by reference the factual allegations described more fully above.

5.2. POTTERY BARN breached a duty to its business invitees, including Plaintiff, to maintain the Premises in a reasonable manner so that its business invitees, including Plaintiff, would not be injured while on the Premises.

5.3. POTTERY BARN breached its duty by failing to maintain the Premises in a reasonably safe manner by allowing a difficult-to-see sign to remain on the floor of the Premises when POTTERY BARN knew or should have known of its existence and should have taken reasonable and appropriate steps to remedy the matter, such as moving the sign to a safer location away from foot traffic or placing the sign at a height more easily seen by patrons.

5.4. As a result of POTTERY BARN's breach of duty, Plaintiff suffered injuries, incurred medical expenses, lost earnings, and time from work, and has experienced pain and suffering.

5.5. POTTERY BARN either knew or reasonably should have known of the dangerous condition on the Premises, specifically, the metal sign in an unsafe location of the store floor.

5.6. POTTERY BARN failed to warn Plaintiff of the unreasonably dangerous condition in the pathway despite having a duty to do so.

5.7. As a result of POTTERY BARN's failure to warn, Plaintiff was injured, incurred, and will continue to incur medical expenses, lost earnings, and lost time from work, and has experienced pain and suffering.

5.8. Further, POTTERY BARN failed to timely and reasonably inspect the Premises at which the slip and fall occurred.

5.9. Each of such acts and omissions, singularly or in combination with others, were a proximate cause of the injury to Plaintiff, which Plaintiff prays for judgment in an amount in excess of the minimum jurisdictional limits of this Court.

## VI. DAMAGES

6.1. As a result of the incident described above, Plaintiff sustained damages, including, but not limited to:

- a. Mental anguish in the past; and mental anguish that, in reasonable probability, will be sustained in the future;
- b. Physical pain sustained in the past; and physical pain that, in reasonable probability, will be sustained in the future;
- c. Disfigurement and scarring in the past; and disfigurement and scarring that, in reasonable probability, will be sustained in the future;
- d. Physical impairment in the past; and physical impairment that, in reasonable probability, will be sustained in the future;
- e. Medical care in the past; and medical care that, in reasonable probability, will be sustained in the future;
- f. Loss of services; and/or
- g. Loss of earning capacity and/or wages in the past; and loss of earning capacity and/or wages that, in reasonable probability, will be sustained in the future.

## VII. JURY DEMAND

7.1. Pursuant to Rule 216 of the *Texas Rules of Civil Procedure*, Plaintiff hereby makes demand for jury trial, and tender the appropriate fee.

## VIII. REQUEST FOR DISCLOSURE

8.1 Pursuant to Rule 194 of the *Texas Rules of Civil Procedure*, each named Defendant is requested to disclose, within fifty (50) days of service of this request, the information or material described in Rule 194.2 (a-l).

## IX. DISCOVERY REQUESTS

9.1. Pursuant to Rule 196.2 and 197.2 of the *Texas Rules of Civil Procedure*, Defendant is required to respond to the attached discovery requests within fifty (50) days of service of this petition.

**PRAYER**

WHEREFORE, PREMISES CONSIDERED, Plaintiff respectfully prays that Defendant be cited to appear and answer herein, and that upon a final hearing of the cause, judgment be entered for the Plaintiff against Defendant for damages in an amount within the jurisdictional limits of this Court; including interest, as allowed by Sec. 41.008, Chapter 41, Tex.Civ.Prac.& Rem.Code; together with pre-judgment interest (from the date of injury through the date of judgment) at the maximum rate allowed by law; post-judgment interest at the legal rate; costs of court; and such other and further relief to which Plaintiff may be entitled at law or in equity.

Respectfully submitted,

**THE DASHNER LAW FIRM, P.L.L.C.**

*/s/ Eugene L. Tagle*

---

Geoffrey B. Dashner, SBN: 00795313

[geoffrey@dashnerlaw.com](mailto:geoffrey@dashnerlaw.com)

Eugene L. Tagle, SBN: 24067894

[etagle@dashnerlaw.com](mailto:etagle@dashnerlaw.com)

4500 Fuller Road, Suite 209

Irving, Texas 75038

Tel (972) 793-8989

Fax (972) 259-2600

[www.dashnerlaw.com](http://www.dashnerlaw.com)

**ATTORNEYS FOR PLAINTIFF**



## Notice of Service of Process

CRH / ALL  
Transmittal Number: 22270259  
Date Processed: 11/09/2020

**Primary Contact:** Danielle Hohos  
Williams-Sonoma, Inc.  
3250 Van Ness Ave  
San Francisco, CA 94109-1012

**Electronic copy provided to:** Yasmeen Mahmood

---

|                                  |  |
|----------------------------------|--|
| <b>Entity:</b>                   | Williams-Sonoma Stores, Inc.<br>Entity ID Number 0219217               |
| <b>Entity Served:</b>            | Williams-Sonoma Stores, Inc. dba Pottery Barn                          |
| <b>Title of Action:</b>          | Terry Roushey vs. Williams-Sonoma Stores, Inc. d/b/a Pottery Barn      |
| <b>Document(s) Type:</b>         | Citation/Petition  |
| <b>Nature of Action:</b>         | Product Liability  |
| <b>Court/Agency:</b>             | Dallas County District Court, TX                                       |
| <b>Case/Reference No:</b>        | DC-20-16034  |
| <b>Jurisdiction Served:</b>      | Texas  |
| <b>Date Served on CSC:</b>       | 11/05/2020   |
| <b>Answer or Appearance Due:</b> | 10:00 am Monday next following the expiration of 20 days after service |
| <b>Originally Served On:</b>     | CSC  |
| <b>How Served:</b>               | Personal Service   |
| <b>Sender Information:</b>       | Eugene L. Tagle<br>972-793-8989  |

---

Information contained on this transmittal form is for record keeping, notification and forwarding the attached document(s). It does not constitute a legal opinion. The recipient is responsible for interpreting the documents and taking appropriate action.

**To avoid potential delay, please do not send your response to CSC**

251 Little Falls Drive, Wilmington, Delaware 19808-1674 (888) 690-2882 | [sop@cscglobal.com](mailto:sop@cscglobal.com)

**FORM NO. 353-3 - CITATION  
THE STATE OF TEXAS**

DELIVERED  
11/15/2020  
By: *SCOTT M. S.*  
Austin Process, LLC

To: **WILLIAMS-SONOMA STORES, INC. DBA POTTERY BARN**  
BY SERVING REGISTERED AGENT THE PRENTICE-HALL CORPORATION SYSTEM  
211 E 7TH STREET, SUITE 620  
AUSTIN TEXAS 78701

**GREETINGS:**

You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10 o'clock a.m. of the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. Your answer should be addressed to the clerk of the **193rd District Court** at 600 Commerce Street, Ste. 101, Dallas, Texas 75202.

Said Plaintiff being **TERRY ROUSHEY**

Filed in said Court **23rd day of October, 2020** against

**WILLIAMS-SONOMA STORES, INC.**

For Suit, said suit being numbered **DC-20-16034**, the nature of which demand is as follows:  
Suit on **PROPERTY** etc. as shown on said petition & **REQUEST FOR DISCLOSURE**, a copy of which accompanies this citation. If this citation is not served, it shall be returned unexecuted.

WITNESS: **FELICIA PITRE**, Clerk of the District Courts of Dallas, County Texas.  
Given under my hand and the Seal of said Court at office this 26th day of October, 2020.

ATTEST: **FELICIA PITRE**, Clerk of the District Courts of Dallas, County, Texas

By *[Signature]* **ANGELA CONEJO**, Deputy



|  |  |
|--|--|
| <b><u>ESERVE</u></b>   |  |
| <b>CITATION</b>  |  |
| <b>DC-20-16034</b>   |  |
| <b>TERRY ROUSHEY</b><br><b>vs.</b><br><b>WILLIAMS-SONOMA STORES, INC.</b>  |  |
| <b>ISSUED THIS</b><br><b>26th day of October, 2020</b>   |  |
| <b>FELICIA PITRE</b><br>Clerk District Courts,<br>Dallas County, Texas   |  |
| <b>By: ANGELA CONEJO, Deputy</b>   |  |
| <b>Attorney for Plaintiff</b><br><b>EUGENE L. TAGLE</b><br><b>THE DASHNER LAW FIRM PLLC</b><br><b>4500 FULLER DR., SUITE 209</b><br><b>IRVING TEXAS 75038</b><br><b>972-793-8989</b><br><b>etagle@dashnerlaw.com</b> |  |
| <b>DALLAS COUNTY</b><br><b>SERVICE FEES</b><br><b>NOT PAID</b>   |  |



## OFFICER'S RETURN

Case No. : DC-20-16034

Court No. 193rd District Court

Style: TERRY ROUSHEY

vs.

WILLIAMS-SONOMA STORES, INC.

Came to hand on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M. Executed at \_\_\_\_\_  
within the County of \_\_\_\_\_ at \_\_\_\_\_ o'clock \_\_\_\_\_ M. on the \_\_\_\_\_ day of \_\_\_\_\_  
20\_\_\_\_, by delivering to the within named \_\_\_\_\_

each, in person, a true copy of this Citation together with the accompanying copy of this pleading, having first endorsed on same date of delivery. The distance actually traveled by  
me in serving such process was \_\_\_\_\_ miles and my fees are as follows: To certify which witness my hand.

|                      |          |       |                        |
|----------------------|----------|-------|------------------------|
| For serving Citation | \$ _____ | _____ | _____                  |
| For mileage          | \$ _____ | _____ | of _____ County, _____ |
| For Notary           | \$ _____ | _____ | By _____ Deputy        |

(Must be verified if served outside the State of Texas.)

Signed and sworn to by the said \_\_\_\_\_ before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,  
to certify which witness my hand and seal of office.

\_\_\_\_\_  
Notary Public \_\_\_\_\_ County \_\_\_\_\_

NO. DC-20-16034

|                         |   |                                  |
|-------------------------|---|----------------------------------|
| TERRY ROUSHEY           | § | IN THE DISTRICT COURT            |
| <i>Plaintiff</i>        | § |                                  |
| VS.                     | § |                                  |
|                         | § | 193 <sup>RD</sup> DISTRICT COURT |
|                         | § |                                  |
| WILLIAMS-SONOMA STORES, | § |                                  |
| INC. D/B/A POTTERY BARN | § |                                  |
| <i>Defendants</i>       | § | DALLAS COUNTY, TEXAS             |

**DEFENDANTS ORIGINAL ANSWER, DEMAND FOR JURY TRIAL  
AND REQUEST FOR DISCLOSURE TO PLAINTIFF, TERRY ROUSHEY**

COMES NOW WILLIAMS-SONOMA STORES, INC. D/B/A POTTERY BARN, Defendants in the above-entitled and numbered cause and in answer to Plaintiff's Petition would respectfully show unto the Court as follows:

I.

Defendants generally deny the allegations of the petition and thus asserts the privilege of having such allegations proved by a preponderance of the evidence. Defendants will amend their answer as necessary.

II.

Defendant is alleging contributory negligence on the part of the Plaintiff.

III.

WILLIAMS-SONOMA STORES, INC. D/B/A POTTERY BARN, hereinafter referred to as Defendants, in this cause demands trial by jury

pursuant to Rule 216, Texas Rules of Civil Procedure, and tenders the required fee.

IV.

Pursuant to Rule 194 of the Texas Rules of Civil Procedure you are requested to disclose within 32-days the service of this request, the information or material described in Rule 194.2(a) through (m).

WHEREFORE, PREMISES CONSIDERED, WILLIAMS-SONOMA STORES, INC. D/B/A POTTERY BARN, Defendants pray that petitioner take nothing by reason of this suit, that the Defendants be discharged and that it go hence with their costs without delay, and for such other and further relief, both general and special, at law and in equity, to which they may show themselves to be justly entitled.

Respectfully submitted,

**GRIFFIN & GRIFFIN**



---

MICHAEL J. GRIFFIN III

SBN: 08463020

Michael@griffinandgriffin.us (no e-service)

MARILYN O. GRIFFIN

SBN: 08463020

Marilyn@griffinandgriffin.us (no e-service)

3003 South Loop West, Suite 206

Houston, Texas 77054-1372

(713) 228-6568 Tel.

(713) 228-9900 Fax.


E-service: eservice@griffinandgriffin.us

**ATTORNEYS FOR DEFENDANTS  
WILLIAMS-SONOMA STORES, INC.  
D/B/A POTTERY BARN**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document has been forwarded to the following counsel of record by certified mail, return receipt requested, e-service, e-mail, facsimile transmission, and/or hand delivered by messenger, on this the 11<sup>th</sup> day of November 2020, in compliance with Tex.R.Civ.P. 21:

Geoffrey B. Dashner  
Eugene L. Tagle  
THE DASHNER LAW FIRM, P.L.L.C.  
4500 Fuller Road, Suite 209  
Irving, Texas 75038  
[Geoffrey@dashnerlaw.com](mailto:Geoffrey@dashnerlaw.com)  
[etagle@dashnerlaw.com](mailto:etagle@dashnerlaw.com)  
Tel. 972/793-8989  
Fax. 972/259-2600

  
\_\_\_\_\_  
MICHAEL J. GRIFFIN, III/  
MARILYN O. GRIFFIN

**Automated Certificate of eService**

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Cynthia Montana on behalf of Michael Griffin III  
Bar No. 08463020  
cindy@griffinandgriffin.us  
Envelope ID: 48075941  
Status as of 11/16/2020 1:30 PM CST

Case Contacts

| Name          | BarNumber | Email                  | TimestampSubmitted     | Status |
|---------------|-----------|------------------------|------------------------|--------|
| Eugene Tagle  |           | etagle@dashnerlaw.com  | 11/13/2020 11:47:31 AM | SENT   |
| Gracie Ibarra |           | gibarra@dashnerlaw.com | 11/13/2020 11:47:31 AM | SENT   |

NO. DC-20-16034

|                         |   |                                  |
|-------------------------|---|----------------------------------|
| TERRY ROUSHEY           | § | IN THE DISTRICT COURT            |
| <i>Plaintiff</i>        | § |                                  |
|                         | § |                                  |
| VS.                     | § | 193 <sup>RD</sup> DISTRICT COURT |
|                         | § |                                  |
| WILLIAMS-SONOMA STORES, | § |                                  |
| INC. D/B/A POTTERY BARN | § |                                  |
| <i>Defendant</i>        | § | DALLAS COUNTY, TEXAS             |

**DEFENDANT, WILLIAMS-SONOMA STORES, INC.**  
**D/B/A POTTERY BARN'S**  
**NOTICE TO ADVERSE PARTIES OF REMOVAL**

TO: Plaintiff, TERRY ROUSHEY, by and through her attorneys of record, Geoffrey B. Dashner and Eugene L. Tagle, THE DASHNER LAW FIRM, P.L.L.C., 4500 Fuller Road, Suite 209, Irving, Texas 75038.

Please take notice that the civil action in which you are named as a Plaintiff commenced on October 23, 2020 in the District Court of Dallas County entitled: Terry Roushey vs. Williams-Sonoma Stores, Inc. d/b/a Pottery Barn, Inc.; under Cause No. DC-20-16034; In the 193<sup>rd</sup> Judicial District Court of Dallas County, Texas has been removed from that Court to the United States District Court for the Southern District of Texas effective today, November 30, 2020. On this day, a Notice of Removal, a copy of which is attached as Exhibit "A" was filed with the clerk of the United States District Court and a copy of that Notice of Removal has been filed with the clerk of the State Court effecting removal pursuant to 28 USC§ Section 1446.

Respectfully submitted,

**GRIFFIN & GRIFFIN**



---

MICHAEL J. GRIFFIN III

SBN: 08463020

Michael@griffinandgriffin.us (no e-service)

MARILYN O. GRIFFIN

SBN: 08463020

Marilyn@griffinandgriffin.us (no e-service)

3003 South Loop West, Suite 206

Houston, Texas 77054-1372

(713) 228-6568 Tel.

(713) 228-9900 Fax.


E-service: eservice@griffinandgriffin.us

**ATTORNEYS FOR DEFENDANT  
WILLIAMS-SONOMA STORES,  
INC. D/B/A POTTERY BARN**

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing document has been forwarded to the following counsel of record by certified mail, return receipt requested, e-service, e-mail, facsimile transmission, and/or hand delivered by messenger, on this the 30<sup>th</sup> day of November 2020, in compliance with Tex.R.Civ.P. 21:

Geoffrey B. Dashner  
[geoffrey@dashnerlaw.com](mailto:geoffrey@dashnerlaw.com)  
Eugene L. Tagle  
[etagle@dashnerlaw.com](mailto:etagle@dashnerlaw.com)  
THE DASHNER LAW FIRM, P.L.L.C.  
4500 Fuller Drive, Suite 209  
Irving, Texas 75038  
Tel. 972/793-8989  
Fax. 972/259-2600



---

MICHAEL J. GRIFFIN III  
MARILYN O. GRIFFIN